

RIGHT-OF-WAY/EASEMENTS
(TITLE 30)

PEBBLE RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-23-0111-EPSTEIN, DIANE LEE R. FAM TR:

VACATE AND ABANDON easements of interest to Clark County located between Pebble Road and Raven Avenue (alignment), and between Fort Apache Road and Quarterhorse Lane; a portion of right-of-way being Fort Apache Road located between Pebble Road and Raven Avenue (alignment); and a portion of right-of-way being Pebble Road located between Fort Apache Road and Quarterhorse Lane within Enterprise (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

176-20-101-001

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of a 5 foot wide portion of right-of way along Fort Apache Road and Pebble Road. The vacation of the right-of-way is necessary to accommodate the required detached sidewalks along the streets. The plans also depict the vacation and abandonment of 33 foot wide government patent easements along the east and south boundaries of the project site. The patent easements are no longer necessary for right-of-way or utility purposes.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Open Lands	R-E	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
West	Corridor Mixed-Use	C-2	Undeveloped

Related Applications

Application Number	Request
NZC-23-0110	A nonconforming zone change to C-2 for a tavern, convenience store, gasoline station, and restaurant with drive-thru is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Public Works - Development Review

Staff has no objection to the vacation of patent easements and right-of-way for detached sidewalk that are not necessary for site, drainage, or roadway development.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 7, 2023 at 9:00 a.m., unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Fort Apache improvement project;
- Coordinate with Public Works - Development Review Division regarding the purchase of the vacated right-of-way;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.
- Applicant is advised that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: UMER MALIK

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